



**Bureau of Elder and Adult Services,
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TO: Interested Parties
FROM: Christine Gianopoulos
DATE: September 29, 2004
SUBJECT: BEAS Policy Manual Sections 40 and 63 Final as of October 4, 2004

The Bureau of Elder and Adult Services has adopted amendments to the following:

Section 40 – GENERAL ADMINISTRATIVE REQUIREMENTS FOR ALL PARTIES

Wording has been added in subsection 40.01(E) Maintaining Services to clarify time frames for notice to consumers and request for hearing when eligibility is terminated or covered services are reduced; and to clarify that services will not be reinstated during the appeal process if services have been suspended in accordance with the rules for more than 30 days.

Section 63 – IN-HOME AND COMMUNITY SUPPORT SERVICES FOR ELDERLY AND OTHER ADULTS

Added to this section are definitions of assisted living services and residential care facility which reflect statutory changes and of Fiscal Intermediary (FI), which is an entity new to the program to assist families with administrative and payroll functions to assure compliance with federal and state tax and labor laws. Health Assessment has been eliminated since it did not prove cost effective. Throughout, the terms Personal Care Services and Congregate Housing Services have been replaced by Personal Support Specialist Services and Independent Housing with Services respectively to reflect current usage and as required in Chapter 596 where Congregate Housing was eliminated and replaced with Independent Housing with Services. Eligibility asset limits of \$50,000 for an individual and \$75,000 for a couple have been added to the program, the cost cap per level of care has been reduced and caps have been placed on homemaker activities per level of care. These three are required to meet budgeted savings targets enacted by the Legislature. The changes also clarify procedure for notification of termination of state-funded in-home and community support services once MaineCare eligibility has been established; add newly enacted statutory employment restrictions for providers of personal support and homemaker services; add a Family Provider Option to Personal Support Services section to improve effectiveness and replace the “Self-directed Option” which has been eliminated; increase the hours of training required for Personal Support Specialists to assure competency; and require the Home Care Coordinating Agency to contract with a Fiscal Intermediary who agrees to perform tasks related to the new Family Provider Option.

These final rules are available on the BEAS website www.maine.gov/dhs/beas/. BEAS listserv subscribers are also being notified. To request a paper copy, please call the Bureau of 287-9200 or use the request form on the website. Thank you.

